

**REMARKS**

Entry of the foregoing, reexamination and reconsideration of the subject application, as amended, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested in light of the remarks which follow.

**I. Claim Amendments**

By the foregoing amendments to the claims, claims 1-5, 7-10, 25, and 48-50 have been amended to clarify that variables R1, R2, R4, and R5 can be chosen from "saturated or unsaturated, linear or branched C1-20 alkyl radicals, saturated or unsaturated rings of 4 to 7 atoms." In particular, the terms "group" and "and" have been deleted from the relevant clause in the claims.

The amendments to the claims have been made without prejudice or disclaimer to any subject matter canceled or recited herein. Applicants reserve the right to file at least one continuation and/or divisional application directed to any canceled subject matter. No new matter has been added, and entry of the foregoing amendments of the above-identified application are respectfully requested.

**II. Response to Claim Rejections Under 35 U.S.C. § 112, First Paragraph**

At page 3 of the Office Action, claims 3, 5, 6, 8, and 10-24 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description rejection.

Specifically, the Examiner has stated that the phrase "combining at least one styrylpyrazole compound of formula (1), or a salt thereof, with a non-toxic, physiologically acceptable medium" is not supported by the specification. This rejection is respectfully traversed.

There is no *in heac verba* requirement for newly added claim limitations. Instead, claim limitations can be supported in the specification through implicit or inherent as well as explicit disclosure. (See, e.g., MPEP § 2163(I)(B).)

In the present application, page 19 of the specification states that "the compound of formula (I) or a salt thereof may be used in a composition" (lines 12-13), and that "the composition must contain a non-toxic, physiologically acceptable medium" (lines 6-8). In addition, compounds of formula (I) are combined with

various physiologically acceptable media in Examples 2-4 at pages 34-35.

Accordingly, a person of ordinary skill in the art would have readily recognized that the present inventors contemplated combining at least one styrylpyrazole compound of formula (1), or a salt thereof, with a non-toxic, physiologically acceptable medium.

Thus, Applicants respectfully request reconsideration and withdrawal of this rejection.

### **III. Response to Claim Rejections Under 35 U.S.C. § 112, Second Paragraph**

At pages 3-4 of the Office Action, claims 1-24 and 48-50 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Specifically, the Examiner has stated that the definition of variables R1, R2, R4, and R5 is indefinite, because it is unclear if the possible groups that these variables can be chosen from ends with the phrase "and NR7CSNR'7R"7," or if the possible groups also include the substituents included in the following phrase "saturated or unsaturated, linear or branched C1-20 alkyl radicals, saturated or unsaturated rings of 4 to 7 atoms . . ."

As noted above, the claims have been amended to clarify that variables R1, R2, R4, and R5 can be chosen from "saturated or unsaturated, linear or branched C1-20 alkyl radicals, saturated or unsaturated rings of 4 to 7 atoms."

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

### **IV. Response to Objection to the Declaration**

At page 4 of the Office Action, the Oath or Declaration has been objected to because the title of the invention is not in the English language.

In response, Applicants submit herewith a Substitute Declaration with the title in the English language.

Thus, Applicants respectfully request reconsideration and withdrawal of this objection.

**CONCLUSION**

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this Amendment and Reply or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,

Date: July 5, 2007

By:

A handwritten signature in black ink, appearing to read "Lisa E. Stahl", written over a horizontal line.

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